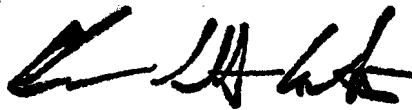


OCTOBER 27, 2008

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON OCTOBER 27, 2008, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON OCTOBER 27, 2008.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 4; SURFACE ACTIONS AS LISTED ON PAGES 5 TO 23; DEVELOPMENT ACTIONS AS LISTED ON PAGES 23 TO 25; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 25.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, NOVEMBER 10, 2008. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR
SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION


LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

MINERAL ACTIONS

MATERIALS PERMIT SAND AND GRAVEL NO. 430 OVER-THE-COUNTER (APPROVAL)

APPLICANT:

Lyle Wiseman
P.O. Box 476
685 East 2900 South
Milford, UT 84751

AFFECTED LANDS:

Township 28 South, Range 10 West, SLB&M.
Section 6: LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

COUNTY: Beaver

ACRES: 41.38 \pm

FUND: SCH

The subject lands are the historic site of sand and gravel mining and have been pre-designated by the Director for over-the-counter sand and gravel sales. Royalty rate for this permit is set at \$0.60 per banked cubic yard.

Upon recommendation of Mr. Tom Faddies, the Director approved the issuance of MP 430 for a term of one year.

TOTAL ASSIGNMENTS – CLAY LEASES

Upon recommendation of Mr. Blake, the Director approved the assignment of the leases listed below to United Minerals, LLC, 400 South 100 East, Emery, UT 84522, by TRC Minerals, Inc. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

TRC MINERALS, INC. – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

UNITED MINERALS, LLC – 100%

....ML 45716 (SCH)....ML 45717 (SCH)....

TOTAL ASSIGNMENTS – POTASH LEASES

Upon recommendation of Mr. Stokes, the Director approved the assignment of the leases listed below to Intercontinental Potash Corp. (USA), 1600 Jackson Street, Suite 1600, Golden, CO 80401, by Thames River, LLC. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

THAMES RIVER, LLC – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

**INTERCONTINENTAL POTASH CORP.
(USA) – 100%**

....ML 51443 (SCH)....ML 51454 (SCH: 960.00; MH: 40.00)....ML 51461 (SCH)....ML 51462 (SCH)....

CORRECTION AND CLARIFICATION OF DIRECTOR'S MINUTES OF JANUARY 15, 2003 – ML 46142 (SCH) – OIL, GAS, AND HYDROCARBON

The Director, on January 15, 2003, approved several corrections of Director's Minutes for ML 46142. One of the corrections was for the Minutes of June 19, 2002, changing the Total Assignment of this lease (approved on January 15, 2003) to Merrion Oil & Gas Corporation by Shenandoah Operating Company, L.L.C. to an assignment of **50% interest in operating rights**. There was also an assignment of record title for this lease submitted at the same time. The total assignment was overlooked at the time the correction was done. Therefore, there should have been an approval of **100% total assignment and assignment of 50% interest in operating rights** to Merrion Oil & Gas Corporation by Shenandoah Operating Company, L.L.C. Therefore, the correct ownership for this lease is as follows:

RECORD TITLE: MERRION OIL & GAS CORPORATION – 100%
OPERATING RIGHTS: MERRION OIL & GAS CORPORATION – 50%,
XTO ENERGY INC. – 50%

Upon recommendation of Ms. Garrison, the Director approved the above-listed correction and clarification.

ADDITION OF APPROVAL OF OPERATING RIGHTS ASSIGNMENT – ML 47801 – OIL, GAS, AND HYDROCARBON (SCH)

The Director, on June 19, 2002, approved the assignment of 50% record title interest to Merrion Oil & Gas Corporation by Shenandoah Operating Company, LLC. It has been discovered that in addition to the record title assignment, there should have also been an approval of **50% interest in operating rights assignment** to Merrion Oil & Gas Corporation by Shenandoah Operating Company, LLC. Therefore, the correct ownership for this lease is as follows:

RECORD TITLE: XTO ENERGY INC. – 50%
MERRION OIL & GAS CORP. – 50%
OPERATING RIGHTS: XTO ENERGY INC. – 50%
MERRION OIL & GAS CORP. – 50%

Upon recommendation of Ms. Garrison, the Director approved the above-listed addition of assignment approval.

CONVERSION TO NEW 2005 LEASE FORM – ML 46142, AND ML 47801 (SCH) – OIL, GAS, AND HYDROCARBON

Merrion Oil & Gas Corporation and XTO Energy Inc. have elected to convert the above-numbered leases from the SITLA 12/83 Form and DSL&F Form (respectively) to the 2005 Form B-2.1(rev 8/08) with the same effective date of the original lease.

Upon recommendation of Ms. Garrison, the Director approved the above lease conversions.

INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of 5% interest in and to the lease listed below to The Catt Family Trust, D.L. and B.W. Catt, as Trustees, 1390 N. McDowell Blvd., Suite G, PMB 266, Petaluma, CA 94954, by The Dougherty Family Trust. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

HOWARD WILLIAM DOUGHERTY, TRUSTEE

OF THE DOUGHERTY FAMILY TRUST- 36.35%,
BRET HARTE REALTY CO. - 12%,
ROBERT P. STRUB - 10%,
PATRICIA JO BURKE - 6%,
JAMES IVERS, JR. - 5%,
THE CATT FAMILY TRUST, GREGORY AND
DOROTHY CATT, TRUSTEES - 5.49499%,
MARY DOUGHERTY VOIGHT - 4%,
MARIA VILOLETA VAN RONZELEN V
VILLARREAL - 4%,
ELEANOR ERICKSON, TRUSTEE OF THE ELEANOR
ERICKSON LIVING TRUST - 2%,
THE H. J. STEVENS, JR. TRUST - 1.72%,
RICHARD C. JONES - 1.25%,
HENRY C. & CLAIRE MARTIN, TRUSTEES-1.04167%,
WILMA J. HUBBARD TRUST - 1%,
FRED L. JONES - 1%,
MARYL MARCELITE COLE MCCULOUGH- 1%,
S. H. JOHNSON - .68%,
PAUL I. FAGEN OLDS - .625%,
HELENE FAGEN - .625%,
MICHAEL S. SPALDING - .625%,
PHILLIP H. SPALDING - .625%,
MARY DAVIS - .625%,
FRANCES VINING - .625%,
DAVID K. TERRELL - .5%,
ALBERT C. SMITH - .5%,
GOODALL W. MCCULOUGH JR. - .5%,
D. L. CATT - .3%,
WAYNE J. SMITH - .25033%,
ANGELA JANKLOW TRUST, LINDA JANKLOW AS
TRUSTEE - .25%,
LUCAS JANKLOW TRUST, LINDA LEROY JANKLOW
TRUSTEE - .25%,
GOODALL W. MCCULOUGH III - .25%,
ROBERT A. MCCULOUGH - .25%,
ALBERT G. SMITH - .24933%,
RICHARD G. SMITH - .167%,
RICHARD CLAIRE SMITH - .08334%,
STEPHEN T. MARTIN - .08334%,
JAMES D. & MARGARET DOGGETT - .08%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

HOWARD WILLIAM DOUGHERTY, TRUSTEE

OF THE DOUGHERTY FAMILY TRUST - 31.35%,
BRET HARTE REALTY CO. - 12%,
THE CATT FAMILY TRUST, D. L. CATT AND
B. W. CATT, TRUSTEES - 10.49499%,
ROBERT P. STRUB - 10%,
PATRICIA JO BURKE - 6%,
JAMES IVERS, JR. - 5%,
MARY DOUGHERTY VOIGHT - 4%,
MARIA VIOLETA VAN RONZELEN V
VILLARREAL - 4%,
ELEANOR ERICKSON, TRUSTEE OF THE ELEANOR
ERICKSON LIVING TRUST - 2%,
THE H. J. STEVENS, JR. TRUST - 1.72%,
RICHARD C. JONES - 1.25%,
HENRY C. & CLAIRE MARTIN, TRUSTEES - 1.04167%,
WILMA J. HUBBARD TRUST - 1%,
FRED L. JONES - 1%,
MARYL MARCELITE COLE MCCULOUGH - 1%,
S. H. JOHNSON - .68%,
PAUL I. FAGEN OLDS - .625%,
HELENE FAGEN - .625%,
MICHAEL S. SPALDING - .625%,
PHILIP H. SPALDING - .625%,
MARY DAVIS - .625%,
FRANCES VINING - .625%,
DAVID K. TERRELL - .5%,
ALBERT C. SMITH - .5%,
GOODALL W. MCCULOUGH, JR. - .5%,
D. L. CATT - .3%,
WAYNE J. SMITH - .25033%,
ANGELA JANKLOW TRUST, LINDA JANKLOW AS
TRUSTEE - .25%,
LUCAS JANKLOW TRUST, LINDA LEROY JANKLOW
TRUSTEE - .25%,
GOODALL W. MCCULOUGH III - .25%,
ROBERT A. MCCULOUUGH - .25%,
ALBERT G. SMITH - .24933%,
RICHARD G. SMITH - .167%,
RICHARD CLAIRE SMITH - .08334%,
STEPHEN T. MARTIN - .08334%,
JAMES D. & MARGARET DOGGETT - .08%

INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in and to the lease listed below to Richard L. Findley, 27 North 27th Street, Suite 21G, Billings, MT 59101, by Eternal Energy Corp. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

***ETERNAL ENERGY CORP. – 50%,
ROADRUNNER OIL & GAS (USA), INC. – 50%***

....ML 49673 (SCH)....

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***ROADRUNNER OIL & GAS (USA) INC. – 50%,
ETERNAL ENERGY CORP. – 25%,
RICHARD L. FINDLEY – 25%***

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in and to the leases listed below to Richard L. Findley, 27 North 27th Street, Suite 21G, Billings, MT 59101, by Eternal Energy Corp. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

***ETERNAL ENERGY CORP. – 50%,
ROADRUNNER OIL & GAS (USA), INC. – 50%***

....ML 51137 (SCH)....ML 51250 (SCH)....ML 51251 (SCH)....

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***ROADRUNNER OIL & GAS (USA) INC. – 50%,
ETERNAL ENERGY CORP. – 25%,
RICHARD L. FINDLEY – 25%***

MERGER – DOMINION RESERVES-UTAH, INC. WITH AND INTO XTO ENERGY INC. – ML 38665, ML 38666, ML 38667, ML 38668, ML 38669, ML 38828, ML 38829, ML 38830, ML 38831, ML 38832, ML 39038, ML 39045, ML 39332, ML 39333, ML 39334, ML 39335, ML 39336, ML 39865, ML 39915, ML 39916, ML 40115, ML 40521, ML 43024, ML 43033, ML 43035, ML 43209, ML 43416, ML 44726, ML 45187, ML 45562, ML 45691, ML 46094, ML 46732, ML 47795, ML 48000(UNIV: 1280.00; RES: 640.00), ML 48174, ML 48177, ML 48178, ML 48179, ML 48180, ML 48181, ML 48182, ML 48185, ML 48186, ML 48187, ML 48190, ML 48197, ML 48198, ML 48200, ML 48203, ML 48204, ML 48205, ML 48207, ML 48208, ML 48209-A, ML 48211, ML 48211-A, ML 48212, ML 48213, ML 48215, ML 48217, ML 48219, ML 48220, ML 48222, ML 48227, ML 48231, ML 48232, ML 48233, ML 48234, ML 48235, ML 48236, ML 48236-A, AND ML 48273 (ALL SCH EXCEPT AS NOTED FOR ML 48000) - OIL, GAS, AND HYDROCARBON

This office is in receipt of merger effective July 21, 2007, wherein Dominion Reserves-Utah, Inc. merged with and into XTO Energy Inc., 810 Houston Street, Fort Worth, TX 76102, covering the above-numbered leases.

This item was submitted by Ms. Garrison for record-keeping purposes only.

CONVERSION FROM BRANTA EXPLORATION & PRODUCTION L.P. TO BRANTA EXPLORATION & PRODUCTION, LLC – ML 50716 AND ML 50717 (SCH) – OIL, GAS, AND HYDROCARBON

This office is in receipt of a conversion effective November 30, 2007, of Branta Exploration & Production, L.P. with and into Branta Exploration & Production, LLC, 10077 Grogans Mill Road, Suite 466, The Woodlands, TX 77380, covering the above-numbered leases.

This item was submitted by Ms. Garrison for record-keeping purposes only.

SURFACE ACTIONS

GRAZING PERMITS

GRAZING PERMIT NO. 23295 (APPROVAL)

Robert & Charlotte Williams
P.O. Box 34
Teasdale, UT 84773

120.00 Acres 11 AUMs School & SM Funds Wayne County

First year's rental: \$41.80
Application fee: \$50.00
Weed fee: \$1.10

Township 29 South, Range 4 East, SLB&M

Sec. 14: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Sec. 23: N $\frac{1}{2}$ NW $\frac{1}{4}$

The term of this permit begins July 1, 2008, and expires June 30, 2023. The season of use is December 1 through May 15 for cattle. These sections are not part of a BLM allotment.

Upon recommendation of Mr. Ron Torgerson, the Director approved Grazing Permit No. 23295.

GRAZING PERMIT NO. 20651 (REINSTATEMENT)

Glade T. Holmes & James Drollinger, P.O. Box 1850, Vernal, UT 84078, have requested the reinstatement of GP 20651, which was canceled for non-payment on August 15, 2008. The permittee has submitted the grazing rental of \$608.00, the weed fee of \$16.00, the reinstatement fee of \$30.00, plus the \$37.44 late fee, totaling \$691.44. Uintah County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the reinstatement of GP 20651.

GRAZING PERMIT NO. 21273-99 (REINSTATEMENT)

Glade T. Holmes & James Drollinger, P.O. Box 1850, Vernal, UT 84078, have requested the reinstatement of GP 21273-99, which was canceled for non-payment on August 15, 2008. The permittee has submitted the grazing rental of \$191.06, the weed fee of \$5.03, the reinstatement fee of \$30.00, plus the \$30.00 late fee, totaling \$256.09. There was a \$.05 overpayment credited to the weed fee for the 2009 season. Uintah County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the reinstatement of GP 21273-99.

GRAZING PERMIT NO. 23025 (REINSTATEMENT)

David & Verla Sorensen, 2720 Wasatch Dr. #17, Salt Lake City, UT 84108, have requested reinstatement of GP 23025, which was canceled for non-payment on August 15, 2008. The permittee has submitted the grazing rental of \$138.70, the weed fee of \$3.65, the reinstatement fee of \$30.00, plus the \$30.00 late fee, totaling \$202.35. Piute County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the reinstatement of GP 23025.

RIGHTS OF ENTRY**RIGHT OF ENTRY NO. 5204 (RECLAMATION BOND)**

CGG Veritas, 410 17th Street, Ste 1140, Denver, CO 80202, has submitted Corporate Surety Bond No. B004659, in the amount of \$5,000.00, effective September 30, 2008. The bond will remain in force and effect until released by Trust Lands Administration. Rich County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for ROE 5204.

RIGHT OF ENTRY NO. 5252 (APPROVAL)

On October 20, 2008, the School and Institutional Trust Lands Administration received an application from Wasatch Winds, LLC, 357 West 910 South, Suite A, Heber, UT 84032, to occupy the following described trust land located within San Juan County to conduct a test plot for a meteorological tower for a one-year term:

T32S, R23E, SLB&M
Sec. 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Within)

This right of entry replaces ROE 5103, which expires Oct. 31, 2008. At the time the original application was issued, a cultural resource survey was completed with a finding of "No Historic Properties."

The fee for this right of entry is \$500.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$600.00. San Juan County. School Fund. Expiration date: October 31, 2009.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5252 for a one-year term.

RIGHT OF ENTRY NO. 5253 (APPROVAL)

On October 20, 2008, the School and Institutional Trust Lands Administration received an application from Elements Wilderness Program, P.O. Box 1166, Huntington, UT 84528, to occupy the following described trust land located within Emery County for commercial hiking and camping for a one-year term:

T19S, R12E, SLB&M
Sec's 21 – 36: Within

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. The permittee shall also pay to the Trust Lands Administration the sum of 3% of gross receipts, based on number of clients, number of client days, and percentage of time spent on trust land, within 30 days of permit expiration date. Emery County. School Fund. Beginning date: November 1, 2008. Expiration date: October 31, 2009.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5253 for a one-year term.

RIGHT OF ENTRY NO. 5254

On October 21, 2008, Ms. Jeanine Kleinke, Trust Lands Technician, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of Flying Sensors, 466 Lawndale Drive, Suite L, Salt Lake City, UT 84115, to occupy the following described trust land located within Grand County for commercial photography:

T25S, R21E, SLB&M
Sec. 32: Within

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. Grand County. School Fund. Expiration date: October 24, 2008.

This item was submitted by Ms. Jeanine Kleinke for record-keeping purposes.

EASEMENTS**EASEMENT NO. 1280 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Milford Wind Corridor Phase I, LLC
c/o First Wind Energy, LLC
85 Wells Avenue, Suite 305
Newton, MA 02459

LEGAL DESCRIPTION:**SITE 1:**

Township 26 South, Range 10 West, SLB&M
Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (within)

This power transmission line easement is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 26 South, Range 10 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at a brass cap marking the NE corner of said Section 9; thence along the East boundary of said Section South 01°25'22" West 901.46 feet to a point on said East boundary, said point being the TRUE POINT OF BEGINNING; thence continuing along the East boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ South 01°25'22" West 182.45 feet to a point on said East boundary; thence leaving said East boundary North 72°08'48" West 1376.28 feet to a point on the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9; thence along said West boundary North 01°24'34" West 182.46 feet to a point on the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence leaving said West boundary South 72°08'49" East 1376.32 feet to a point on the East boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, said point being the POINT OF BEGINNING.

Said easement contains 240,853 square feet or 5.53 acres, with a centerline distance of 1376.30 feet or 83.4 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

EASEMENT NO. 1280 (APPROVAL) (CONTINUED)

SITE 2:

Township 26 South, Range 11 West, SLB&MSection 2: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ (within)

This power transmission line easement is located in the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 2, Township 26 South, Range 11 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at a brass cap marking the NE corner of Section 2, said point being the TRUE POINT OF BEGINNING; thence along the East boundary of said E $\frac{1}{2}$ E $\frac{1}{2}$ South 00°58'52" West 5555.68 feet to a point on South boundary of said Section 2; thence leaving said East boundary and along the South boundary North 88°56'20" West 127.12 feet to a point; thence leaving said South boundary North 00°52'56" East 5555.18 feet to a point on the North boundary of said Section 2; thence along said North boundary South 89°09'27" East 136.70 feet to a point being the POINT OF BEGINNING.

Said easement contains 732,817 square feet or 16.82 acres, with a centerline distance of 5470.02 feet or 331.52 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

SITE 3:

Township 25 South, Range 11 West, SLB&MSection 36: W $\frac{1}{2}$ NW $\frac{1}{4}$ (within)

This power transmission line easement is located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 36, Township 25 South, Range 11 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at an aluminum cap marking the NW corner of Section 36, said point being the TRUE POINT OF BEGINNING; thence along the North boundary of said W $\frac{1}{2}$ South 88°52'58" East 240.02 feet to a point on said North boundary; thence leaving said North boundary South 00°19'02" West 2644.5 feet to a point on the Center line of said Section 26; thence along said Center line North 88°39'16" West 240.04 feet to a point on the West boundary of said Section 36; thence leaving said Center line and along said West boundary North 00°19'02" East 2643.55 feet to a point being the POINT OF BEGINNING.

Said easement contains 634,645 square feet or 14.57 acres, with a centerline distance of 2643.48 feet or 160.2 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

SITE 4:

Township 22 South, Range 9 West, SLB&MSection 16: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (within)

This power transmission line easement is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 22 South, Range 9 West, County of Millard, State of Utah. Said easement is as follows:

EASEMENT NO. 1280 (APPROVAL) (CONTINUED)

Commencing at a brass cap marking the NW corner of Section 16; thence along the North boundary of said Section 16, South 89°11'51" East 81.99 feet to a point on said North boundary, said point being the TRUE POINT OF BEGINNING; thence continuing along the North boundary of said NW¼ South 89°11'51" East 178.03 feet to a point on said North boundary; thence leaving said North boundary South 11°22'56" West 1343.20 feet to a point on the South boundary of the NW¼NW¼ of said Section 16; thence along said South boundary North 89°11'51" West 13.83 feet to a point on the West boundary of said Section 16; thence along said West boundary North 00°49'17" East 880.64 feet to a point on said West boundary; thence leaving said West boundary North 11°22'56" East 447.33 feet to a point on said North boundary, said point being the POINT OF BEGINNING.

Said easement contains 162,761 square feet or 3.74 acres, with a centerline distance of 932.98 feet or 56.54 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

SITE 5:

Township 21 South, Range 9 West, SLB&M
Section 16: SE¼SE¼ (within)

This power transmission line easement is located in the SE¼SE¼ of Section 16, Township 21 South, Range 9 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at a brass cap marking the SE corner of Section 16; thence along the South boundary of said Section 16 North 89°06'21" West 84.83 feet to a point on said South boundary, said point being the TRUE POINT OF BEGINNING; thence continuing along the South boundary of said SE¼ North 89°06'21" West 177.97 feet to a point on said South boundary; thence leaving said South boundary North 11°22'56" East 1343.03 feet to a point on the North boundary of said SE¼SE¼ of Section 16; thence along said North boundary South 89°10'55" East 16.58 feet to a point on the East boundary; thence along said East boundary South 00°49'05" West 865.62 feet to a point on said East boundary; thence leaving said East boundary South 11°22'56" West 462.72 feet to a point on said South boundary, said point being the POINT OF BEGINNING.

Said easement contains 165,173 square feet or 3.79 acres, with a centerline distance of 948.10 feet or 57.46 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

SITE 6:

Township 15 South, Range 8 West, SLB&M
Section 24: N½SE¼ (within)

This power transmission line easement is located in the N½SE¼ of Section 24, Township 15 South, Range 8 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at a brass cap marking the NE corner of the SE¼ of Section 24; thence along the East boundary of said Section 24 South 00°48'50" West 182.29 feet to a point said point being the TRUE POINT OF BEGINNING; thence continuing along the East boundary of said SE¼ South 00°48'50" West 240.00 feet to a point on said East boundary; thence leaving said East boundary North 89°10'25" West 2657.37 feet to a point on the West boundary of said SE¼; thence along said West boundary North 00°50'00" East 240.00 feet to a point on the West boundary; thence leaving said West boundary South 89°10'25" East 2657.29 feet to a point being the POINT OF BEGINNING.

EASEMENT NO. 1280 (APPROVAL) (CONTINUED)

Said easement contains 637,759 square feet or 14.64 acres, with a centerline distance of 2,657.34 feet or 161.05 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

SITE 7:

Township 15 South, Range 7 West, SLB&M
Section 20: NE $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

This power transmission line easement is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 15 South, Range 7 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at a point on the East-West Center line of said Section 20; thence South 00°57'14" West 189.23 feet to a point, said point being the TRUE POINT OF BEGINNING; thence South 89°10'25" East 1318.48 feet to a point on said Center line; thence leaving said East-West Center line and along the North-South Center line South 00°56'41" West 240.00 feet to a point on said Center line; thence leaving said Center line North 89°10'25" West 1318.52 feet to a point on the West boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence along said West boundary North 00°57'14" East 240.00 feet to a point being the POINT OF BEGINNING.

Said easement contains 316,440 square feet or 7.26 acres, with a centerline distance of 1318.50 feet or 79.91 rods, more or less. The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

SITE 8:

Township 15 South, Range 7 West, SLB&M
Section 22: N $\frac{1}{2}$ SE $\frac{1}{4}$ (within)
Section 23: Lots 7, 8, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (within)
Section 24: Lots 4, 6, 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)
Section 25: NW $\frac{1}{4}$ NE $\frac{1}{4}$ (within)

This power transmission line easement is located in portions of Sections 22, 23, 24, and 25, Township 15 South, Range 7 West, County of Millard, State of Utah. Said easement is as follows:

Commencing at an aluminum cap on the centerline of Section 22; thence South 00°43'32" West 196.21 feet to a point, said point being the TRUE POINT OF BEGINNING; thence South 89°10'18" East 4088.75 feet to a point; thence South 70°55'43" East 7204.46 feet to a point; thence North 79°09'35" East 882.00 feet to a point; thence North 00°04'38" West 201.99 feet to a point; thence South 70°52'48" East 185.30 feet to a point; thence South 00°04'38" East 352.09 feet to a point; thence South 79°09'35" West 1078.61 feet to a point; thence North 70°55'43" West 7230.04 feet to a point; thence North 89°10'18" West 4049.78 feet to a point; thence North 00°43'32" East 240.00 feet to a point, being the POINT OF BEGINNING.

Said easement is 2,992,534.36 square feet or 68.70 acres, more or less. The centerline of said easement is 12,529.47 feet or 759.35 rods.

The basis of bearing used is the Utah State Plane Coordinate, Central Zone, NAD83, modified to a combined ground factor of 0.999764161.

EASEMENT NO. 1280 (APPROVAL) (CONTINUED)**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 345 kV power transmission line, an access road and all necessary or desirable appurtenances, towers, poles, props, guys and other supports, and cables. The proposed transmission line is part of the Milford Wind Project proposed by First Wind Energy, LLC, and will transmit wind-generated energy a distance of approximately 93 miles from a substation located in the wind farm area of the Milford Wind Project (located approximately 10 miles north of Milford, Utah) to an existing substation at the Intermountain Power Project (located approximately 10 miles north of Delta, Utah). Approximately 5 miles of the transmission line will be located on trust lands. The transmission line will utilize steel H-frame towers, spaced from approximately 650 ft. to 1500 ft. apart and ranging in height from approximately 100 ft. to 115 ft. The line will pass through federal, private, and trust lands, and will generally parallel the existing IPP 500 kV DC line.

The proposed easement corridor on trust lands is 27,876.19 feet long and 240 feet wide, containing 135.05 acres. The applicant has requested a temporary easement width of 300 feet for use during the construction phase of the project. The easement will be granted for an initial term of 30 years, with the option to extend the easement for three additional terms of 10 years each upon payment of applicable fees.

RELEVANT FACTUAL BACKGROUND:

The Resource Development Coordinating Committee ("RDCC") review was initiated on May 30, 2007, and later resubmitted for a revised alignment on February 28, 2008. Comments were received from the Department of Environmental Quality/Division of Air Quality and the Five County Association of Governments as follows:

Department of Environmental Quality/Division of Air Quality:

"This proposal is subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than ¼ acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at: www.rules.utah.gov/public/code/r307/r307.htm."

Five County Association of Governments (June 14, 2007):

"The Utah State Trust Lands Administration proposes to issue a 200 foot wide easement across school trust lands for the purpose of installing a 345 kV transmission line from the UPC Wind Management area north of Milford to the IPP substation north of Delta. The easement traverses less than one mile of trust lands in the Five County area. Local officials strongly support the development of this alternative energy source."

Five County Association of Governments (March 13, 2008):

"The Utah State Trust Lands Administration proposes to issue a new right of way easement for a new alignment of the Milford Wind Corridor power line. Beaver County officials have discussed the new alignment with Millard County and have no major objections to the new alignment."

The applicant has been notified of the comments provided by the RDCC.

The Bureau of Land Management, Fillmore Field Office ("BLM-FFO"), is the lead agency for cultural resource compliance on this project. The BLM-FFO has consulted with the State Historic Preservation Office ("SHPO") regarding the portions of the project located on trust lands and has granted cultural resource clearance for these portions of the project.

EASEMENT NO. 1280 (APPROVAL) (CONTINUED)

EVALUATION OF FACTS:

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for an initial period of 30 years, with the option to renew for three additional 10 year terms.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1280 for an initial term of 30 years beginning October 15, 2008, and expiring October 14, 2038, with the easement fee being \$67,688.00 plus the \$600.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid up front with a one-time payment of \$1,000.00.

EASEMENT NO. 1365 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

Utah Department of Transportation
4501 South 2700 West
Salt Lake City, Utah 84119

LEGAL DESCRIPTION OF THE PERPETUAL EASEMENT LANDS:

Township 43 South, Range 6 West, SLB&M
Section 16: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

Affecting Tax ID No. 3-6-16-DC

A parcel of land for the reconstruction of the existing highway State Route 89 known as Project No. 0089, being part of an entire tract of property, situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T43S, R6W, SLB&M, the boundaries of said parcel of land are described as follows:

Beginning at the intersection of the north line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16 and the existing easterly right of way line of said State Route 89, which point is 1974.91 feet N 00°38'42" E along the section line and 611.75 feet east from the southwest corner of said Section 16 (Note: Said point of beginning is 68.33 feet perpendicularly distant easterly from the control line of said project at Engineer Station 75+72.01); and running thence along said easterly right of way line the following nine (9) courses and distances: (1) N 01°34'16" E 113.52 feet to a point of tangent to a spiral curve; thence (2) along a spiral curve to the right (Note: Said spiral curve is concentric 75.00 feet easterly with the existing State Route 89 (UDOT Project No. F-105(7)) centerline spiral ($\Delta = 6^{\circ}00'00"$, 200 feet, 10 chords). P.T.S. to P.S.C. bears N 03°31'43" E for a distance of 192.02 feet); thence (3) Northerly 127.06 feet along the arc of a 880.37 foot radius curve to the right (Note: Chord to said curve bears N 11°41'58" E for a distance of 126.95 feet) to a point of curve to a spiral curve; thence (4) along a spiral curve to the right (Note: Said spiral curve is concentric 75.00 feet easterly with the existing State Route 89 (UDOT Project No. F-105(7)) centerline spiral ($\Delta = 6^{\circ}00'00"$, 200 feet, 10 chords). P.C.S. to P.S.T. bears N

EASEMENT NO. 1365 (APPROVAL) (CONTINUED)

19°52'35" E for a distance of 192.02 feet); thence (5) N 21°53'27" E 5.00 feet to a point of tangent to a spiral curve; thence (6) along a spiral curve to the left (Note: Said spiral curve is concentric 75.00 feet easterly with the existing State Route 89 (UDOT Project No. F-105(7)) centerline spiral ($\Delta = 8^{\circ}00'00"$, 200 feet, 10 chords). P.T.S. to P.S.C. bears N 19°09'29" E for a distance of 210.29 feet; thence (7) Northerly 492.17 feet along the arc of a 791.80 foot radius curve to the left (Note: Chord to said curve bears N 03°55'03" W for a distance of 484.29 feet); thence (8) along a spiral curve to the left (Note: Said spiral curve is concentric 75.00 feet easterly with the existing State Route 89 (UDOT Project No. F-105(7)) centerline spiral ($\Delta = 8^{\circ}00'00"$, 200 feet, 10 chords). P.C.S. to P.S.T. bears N 26°59'35" E for a distance of 210.29 feet; thence (9) N 29°43'33" W 448.76 feet to a point which is 61.66 feet perpendicularly distant northeasterly from the control line of State Route 89 of said project at Engineer Station 95+38.32; thence S 53°19'04" E 245.89 feet to a point which is 160.00 feet perpendicularly distant northeasterly from said control line at Engineer Station 93+12.95; thence S 29°44'40" E 210.71 feet parallel to said control line; thence S 02°26'41" E 174.43 feet to a point of curvature with a 723.00 foot radius curve to the right, which point is 80.00 feet radially distant northeasterly from said control line at Engineer Station 89+47.24; thence Southerly 637.47 feet along the arc of said curve (Note: Chord to said curve bears S 04°29'08" E for a distance of 617.02 feet) concentric with said control line to a point opposite Engineer Station 83+80.31; thence S 05°07'09" W 185.30 feet to a point which is 130.00 feet perpendicularly distant easterly from said control line at Engineer Station 82+01.88; thence S 20°46'24" W 131.18 feet parallel to said control line to a point of curvature with a 820.00 foot radius curve to the left; thence Southerly 272.23 feet along the arc of said curve (Note: Chord to said curve bears S 11°15'45" W for a distance of 270.98 feet) concentric with said centerline to a point of tangency opposite Engineer Station 77+55.32; thence S 01°45'07" W 182.19 feet parallel to said control line to said north line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16; thence N 89°17'09" W 61.68 feet along said north line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 2.429 acres.

COUNTY: Kane

ACRES: 2.429

FUND: School

LEGAL DESCRIPTION OF THE TEMPORARY EASEMENT LANDS:Township 43 South, Range 6 West, SLB&MSection 16: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

Affecting Tax ID No. 3-6-16-DC

A temporary easement, upon part of an entire tract of property, in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T43S, R6W, SLB&M, in Kane County, Utah, for the purpose of facilitating construction incident to the reconstruction of existing highway State Route 89 known as Project 0089. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said part of an entire tract are described as follows:

Beginning at a point in the existing easterly right of way line of said State Route 89, which point is 1113.71 feet N 00°38'42" E along the section line and 597.35 feet east from the Southwest Corner of said Section 16 (Note: Said point of beginning is 79.94 feet perpendicularly distant easterly from the control line of State Route 89 of said project at Engineer Station 67+13.64); and running thence along said easterly right of way line the following two (2) courses and distances: (1) Northerly 105.60 feet along the arc of a 11,534.20 foot radius curve to the left (Note: Chord to said curve bears N 01°49'59" E for a distance of 105.60 feet) to a point of tangency; thence (2) N 01°34'16" E 755.88 feet to the northerly boundary line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16; thence S 89°17'09" E 61.68 feet along said northerly boundary line; thence S 15°54'17" W 209.42 feet; thence S 01°34'16"

EASEMENT NO. 1365 (APPROVAL) (CONTINUED)

W 553.90 feet to a point of curvature with a 11,544.03 foot radius curve to the right; thence Southerly 106.03 feet along the arc of said curve (Note: Chord to said curve bears S 01°50'02" W for a distance of 106.03 feet); thence N 85°55'10" W 9.83 feet to the point of beginning. The above described part of an entire tract of land contains 13,708 square feet or 0.315 acres.

COUNTY: Kane

ACRES: 0.315

FUND: School

PROPOSED ACTION:

The applicant requests an easement to construct, operate, repair, and maintain a highway. The applicant plans to widen US Highway 89 at a point located approximately 1 mile north of Kanab in Kane County and has requested this easement to allow for the additional cuts and fills needed for the expansion. The proposed easement corridor ranges from approximately 20 to 100 feet wide and runs for approximately 1,900 feet along the east side of the highway, containing 2.429 acres. The applicant has also requested a temporary easement for construction purposes that contains an additional 0.315 acres. The temporary easement will commence at the beginning of actual construction activities on the parcel and will end when construction is completed or after three years, whichever comes first.

The applicant has agreed to improve an existing access point from the highway to a trust lands location on the east side of the highway by squaring up the access and also paving the access to a point located 25 feet out from the highway. It has been determined that the value added to the surrounding trust lands through the enhancement of this access point exceeds the benefit that could be realized by assessing an application fee and administrative fee for this easement. Therefore, the improvements to the access point will be accepted as fair compensation for the application fee and administrative fee.

An easement fee of \$16,100.00, which is equal to 100% of the appraised value of the lands underlying the easement will be paid by the applicant within 30 days of the execution of the easement agreement. If payment of the easement fee is not received timely, the Trust Lands Administration reserves the right to immediately terminate the agreement.

RELEVANT FACTUAL BACKGROUND:

The Resource Development Coordinating Committee ("RDCC") review was initiated on January 30, 2008. Comments were received from the Five County Association of Governments as follows:

"The Utah State Trust Lands Administration proposes to issue an easement that will allow the Utah Department of Transportation to widen US Highway 89 one mile north of Kanab. The additional easement is necessary to accommodate necessary cuts and fills. Local officials support efforts to improve the safety of US Highway 89."

The applicant has been notified of the comments received from the RDCC review.

The project area was surveyed for cultural resources by Montgomery Archaeological Consultants (U-06-MQ-1700b,p,s). Four NRHP-eligible sites were found on trust lands. The applicant was the lead agency for cultural resource compliance and conducted the consultation with the State Historic Preservation Office ("SHPO") for this undertaking. All but one of the sites, (42Ka6286), will be avoided by the construction activities. Site 42Ka6286 will be minimally impacted by the addition of fill at the extreme southern edge of the site. This minimal impact will not affect any features or artifacts associated with the site, therefore SHPO has concurred with a finding of "No Adverse Affect" for the portion of the project on trust lands.

EASEMENT NO. 1365 (APPROVAL) (CONTINUED)**EVALUATION OF FACTS:**

1. The proposed easement is located entirely on trust lands.
2. The proposed easement would be granted for a perpetual term.
3. The applicant has agreed to pay the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600 within 30 days of the execution of the easement agreement. If the fees are not paid timely, the Trust Lands Administration reserves the right to immediately terminate the easement.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1365 for a perpetual term commencing November 1, 2008.

EASEMENT NO. 1384 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

PacifiCorp
DBA Rocky Mountain Power
Right of Way Services
1407 West North Temple, Suite 110
Salt Lake City, UT 84116

LEGAL DESCRIPTION:

Township 17 South, Range 8 East, SLB&M
Section 23: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ (within)
Section 26: NW $\frac{1}{4}$ (within)

An easement for the Blackhawk – Emery 69kV power transmission line, said easement being 100 feet wide, 50 feet on either side of the following described centerline:

Beginning at a point located on the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T17S, R8E, SLB&M, said line also being the Grantor's property boundary, said point of beginning being located south 1,078 feet more or less along said property boundary from the north line of said Section 23 at a point on the centerline of the existing Blackhawk – Emery 69kV power transmission line and thence running S 64°39' W 368 feet more or less to an existing support structure; thence S 21°28' W 99 feet more or less to the point of termination located on the south line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23. Total length of easement is 467 feet more or less. Containing 1.07 acres more or less.

Also beginning at a point located on the south line of the NW $\frac{1}{4}$ of Section 26, T17S, R8E, SLB&M, said line also being the Grantor's property boundary, said point of beginning being located east 943 feet more or less along said property boundary from the west $\frac{1}{4}$ corner of said Section 26 at a point on the centerline of the existing

EASEMENT NO. 1384 (APPROVAL) (CONTINUED)

Blackhawk – Emery 69kV power transmission line and thence running N 21°28' E 232 feet more or less to an existing support structure; thence N 21°28' E 3,875 feet to an existing support structure; thence N 21°28' E 202 feet more or less to the point of termination located on the north line of the SE¼SW¼ of Section 23, T17S, R8E, SLB&M. Total length is 4,309 feet more or less. Containing 9.89 acres more or less.

Township 17 South, Range 8 East, SLB&M

Section 27: Lot 4 (within)

Section 34: Lots 1-3, W½SE¼ (within)

An easement for the Blackhawk – Emery 69kV power transmission line, said easement being 100 feet wide, 50 feet on either side of the following described centerline:

Beginning at a point located on the south line of Section 34, T17S, R8E, SLB&M, said line also being the Grantor's property boundary, said point of beginning being located west 2,300 feet more or less along said south line from the southeast corner of said Section 34 at a point on the centerline of the existing Blackhawk – Emery 69kV power transmission line and thence running N 21°28' E 25 feet more or less to an existing support structure; thence N 21°28' E 6,000 feet to an existing support structure; thence N 21°28' E 183 feet more or less to the point of termination located on the east line of Section 27, T17S, R8E, SLB&M. Total length is 6,208 feet more or less. Containing 14.25 acres more or less.

COUNTY: Emery

ACRES: 25.21

FUND: School

PROPOSED ACTION:

The applicant requests an easement to operate, repair, and maintain an existing 69 kV overhead power transmission line located west of Huntington in Emery County. This power line is known as the Huntington – Ferron portion of the Blackhawk – Emery City 69 kV line. The power line was originally authorized under BLM Right of Way UTU-016754 in 1956 for a term of 50 years. A portion of the BLM right-of-way grant was transferred to the Trust Lands Administration as a result of the Inholdings Exchange (Exchange No. 205) in 1999. The portion of the BLM right of way that was transferred to the Trust Lands Administration was designated as Easement No. 525 and had an expiration date of October 8, 2006. Since Easement No. 525 has now expired, the applicant is seeking to re-authorize this portion of the power line by obtaining a new easement from the Trust Lands Administration. The proposed easement corridor is approximately 10,984 feet long and 100 feet wide, containing 25.21 acres. The easement term will be 30 years.

RELEVANT FACTUAL BACKGROUND:

This application was exempt from review by the Resource Development Coordinating Committee ("RDCC") because it is a reauthorization of an existing use and does not involve any new ground disturbance.

The Trust Lands Administration's staff archaeologist has reviewed the proposed easement and has determined that, since it is a reauthorization of an existing use and involves no new ground disturbance, a cultural resources survey would not be required.

As compensation for the period of time that the power line was in operation from the expiration date of the previous easement on October 8, 2006, to the effective date of this new easement, the applicant has paid an easement fee in the amount of \$655.00. This amount has been incorporated into the total easement fee of \$16,631.73.

EASEMENT NO. 1384 (APPROVAL) (CONTINUED)

EVALUATION OF FACTS:

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1384 for a term of 30 years beginning January 1, 2008, and expiring December 31, 2037, with the easement fee being \$16,631.73 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid up front with a one-time payment of \$1,000.00.

EASEMENT NO. 1430 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

Questar Gas Management
1955 Blairtown Road
P.O. Box 2819
Rock Springs, Wyoming 82902

LEGAL DESCRIPTION:

Township 9 South, Range 24 East, SLB&M
Section 16: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side of the following described centerline:

Beginning at a point on the north line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T9S, R24E, SLB&M, which bears S 89°49'19" E 429.43 feet from the northwest corner of said Section 16; thence S 02°23'47" W 161.67 feet; thence S 02°54'34" E 153.40 feet; thence S 05°54'21" E 327.40 feet; thence S 11°10'04" E 145.54 feet; thence S 17°33'56" E 180.29 feet; thence S 24°47'13" E 213.53 feet; thence S 31°20'54" E 203.00 feet to a point on the south line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16 which bears N 28°50'24" E 1508.00 feet from the west $\frac{1}{4}$ corner of said Section 16. Also beginning at a point on the north line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16, which bears S 45°10'49" E 1882.38 feet from the west $\frac{1}{4}$ corner of said Section 16; thence S 07°41'34" E 188.44 feet; thence S 04°02'16" E 154.12 feet; thence S 10°31'00" E 143.95 feet; thence S 08°40'55" E 241.86 feet; thence S 11°27'01" E 96.89 feet; thence S 02°58'22" E 48.90 feet; thence S 09°49'45" E 168.53 feet; thence S 06°23'35" E 230.51 feet; thence S 08°02'50" E 65.94 feet to a point on the south line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16, which bears N 89°59'27" W 1122.18 feet from the south $\frac{1}{4}$ corner of said Section 16. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 1.876 acres more or less.

COUNTY: Uintah

ACRES: 1.876

FUND: School

EASEMENT NO. 1430 (APPROVAL) (CONTINUED)**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 12-inch diameter surface natural gas pipeline. This pipeline is needed to facilitate increased natural gas production within the area. The pipeline will be laid within an existing disturbed corridor alongside an existing pipeline that was constructed under the authority of Mineral Lease No. 46526. The proposed easement corridor is 2,723.97 feet long and 30 feet wide, containing 1.876 acres. The term of the easement will be 30 years.

RELEVANT FACTUAL BACKGROUND:

Since the proposed easement will be constructed entirely within a previously disturbed corridor and will not result in any new ground disturbance, the project was exempt from review by the Resource Development Coordinating Committee ("RDCC").

The Trust Lands Administration's staff archaeologist has reviewed the proposed project and has determined that the project area has been previously surveyed for cultural resources by Montgomery Archaeological Consultants (U-04-MQ-0312) with a finding of "Historic Properties Not Affected." No additional cultural resource surveys are required.

EVALUATION OF FACTS:

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1430 for a term of 30 years beginning November 1, 2008, and expiring October 31, 2038, with the easement fee being \$3,136.69 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE AGREEMENT NO. 1599 (APPROVAL)**

APPLICANT'S NAME AND ADDRESS:

Milford Wind Corridor Phase I LLC
 c/o First Wind Energy, LLC
 85 Wells Avenue, Suite 305
 Newton, MA 02459

APPLICATION TYPE: INDUSTRIAL

TERMS: 30 years

BEGINNING DATE: November 1, 2008

ENDING DATE: October 31, 2038

NEXT REVIEW DATE: November, 2013

FIRST YEAR RENTAL: \$54,600.00

EXECUTION BONUS: \$15,600.00

APPLICATION FEE: \$ 250.00

PROCESSING FEE: \$ 700.00

ADVERTISING FEE \$ 161.70

TOTAL SUBMITTED: \$71,311.70

LEGAL DESCRIPTION:

Beaver County:

Township 26 South, Range 9 West, SLB&M
 Section 32: SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ (within)

Township 26 South, Range 10 West, SLB&M
 Section 9: E $\frac{1}{2}$ NE $\frac{1}{4}$ (within)
 Section 36: N $\frac{1}{2}$

Millard County:

Township 25 South, Range 10 West, SLB&M
 Section 26: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ (within)
 Section 27: E $\frac{1}{2}$ SE $\frac{1}{4}$ (within)
 Section 36: E $\frac{1}{2}$ (within)

Beaver and Millard Counties:

Township 26 South, Range 10 West, SLB&M
 Section 2: S $\frac{1}{2}$ (within)

COUNTIES: Beaver and Millard

ACRES: 1,560.00

FUND: School

PROPOSED ACTION:

The applicant proposes to construct, operate, repair, and maintain a commercial wind farm including, but not limited to, the construction, development, operation, and decommissioning of wind turbine generators ("WTGs") and all necessary and proper anchors, support structures, foundations, and concrete pads for such WGTs, underground and above-ground electrical transmission and communication lines related to the operation of WTGs, electric transformers and substations, above-ground energy storage facilities, telecommunication equipment, roads, meteorological towers and wind-measurement equipment, control buildings, maintenance yards and related facilities, and equipment that is useful for

SPECIAL USE LEASE AGREEMENT NO. 1599 (APPROVAL) (CONTINUED)

converting, maintaining, and capturing wind, wind-energy development, and related wind-energy development uses (collectively the "Project"). The Project is located on surface estate owned by the Trust Lands Administration located in Beaver and Millard Counties, described above, as well as private and federal lands. The lease term will be 30 years. The applicant will have the option to extend the lease for three (3) additional terms of ten (10) years each by delivering to SITLA written notice at least ninety (90) days prior to the expiration of the immediately preceding lease term.

RELEVANT FACTUAL BACKGROUND:

The application was advertised in a paper of local circulation in Beaver and Millard Counties. In addition, Beaver and Millard Counties were notified of the action and a copy of the notice was sent to all lessees, permittees, and adjoining landowners. The required public notice process has been completed pursuant to the requirements of R850-30-500(2)(d) and R850-30-500(2)(e). There were no competing applications received during the notice period.

The Six County Association of Governments and the Beaver and Millard County Commissions were also notified. No comments were received. The Resource Development Coordinating Committee ("RDCC") was contacted and had no comments.

A cultural resource survey (Class III intensive) was completed in 2008 by Heather M. Weymouth (PI) of Sagebrush Consultants, Odgen, Utah (Sagebrush Report No. 1610, titled "A Cultural Resource Inventory for the UPC Wind Project in Millard and Beaver Counties, Utah"). A total of six sites were documented within the trust lands portion of the project area, three of which are recommended eligible for listing on the National Register of Historic Places, including 42MD2830 and 42MD2846 (Parcel #6) and 42BE3185/42MD2899 (Parcel #3). Mitigation/treatment measures have been recommended for the proposed project as there will be adverse effects to historic properties as a result of the undertaking. Therefore, further work is considered necessary for those three significant sites through an approved treatment plan (currently under review). SITLA agrees with the proposed treatment plan. The BLM-Cedar City Field Office is lead agency for this undertaking and is performing all cultural compliance. The lease requires that the applicant obtain final cultural clearances before commencement of construction.

The term of the lease will be 30 years. The applicant agreed to an annual rental for the wind farm of \$54,600.00 per year. This agreement will contain a clause whereby the annual rate is evaluated and can be adjusted at the end of each five-year review period using methodology provided in the lease form. In addition to the annual lease rental, the applicant will pay capacity fees based upon the megawatt capacity of WTGs located on the leased premises, with the annual lease rental as a credit against such fees. The capacity fees escalate both annually by CPI and periodically as more fully set forth in the lease document.

The lease also contains other negotiated terms and should be reviewed in consultation with the Legal Group prior to Agency actions with respect to the lease.

EVALUATION OF FACTS:

The lease will have a clause providing for escalation of the annual rental at the end of each five-year review period as described above.

This action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Kurt Higgins, the Director approved SULA 1599 with an annual rental of \$54,600.00 per year, for a term of 30 years, with a five-year rental review, and escalating capacity fees as set forth in the lease. The applicant shall have the option to extend the lease for three (3) additional terms of ten (10) years each by delivering to SITLA written notice at least ninety (90) days prior to the expiration of the immediately preceding lease term.

SPECIAL USE LEASE AGREEMENT NO. 1479 (ASSIGNMENT)

Pursuant to R850-30-900, Pride Ventures LLC, P.O. Box 328, Bloomfield, NM 87413, requests permission to assign 100% of its interest in the above-referenced lease to Genesis Petroleum US, Inc., 140 West 9000 South, Suite 9, Sandy, UT 84070. Continuation of the existing lease form is in the best interest of the Beneficiaries pursuant to R850-30-900(5)(a). No additional fees are assessed. The \$250.00 assignment fee has been submitted. Emery County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the assignment of SULA 1479.

SPECIAL USE LEASE AGREEMENT NO. 1404 (FIVE-YEAR REVIEW)

Special Use Lease Agreement No. 1404 is an industrial lease in the name of Pioneer Natural Resources USA, Inc., 1401 17th Street, Suite 1200, Denver, CO 80202. Uintah County. School Fund.

1. **ANNUAL BASE RENTAL:**

The five-year review date for this lease is November 1, 2008. The subject property is located in Uintah County and is used by the lessee for the purpose of a natural gas compressor facility and gas conditioning site. Based on an analysis of the lease rental pursuant to Board policy, it has been determined that an appraisal is not warranted. Therefore, it is recommended that the annual rental be increased from \$10,000.00 per year to \$12,500.00 per year, effective November 1, 2008. A certified notice of the rental increase was sent to the lessee on October 13, 2008. No comments were received.

New Annual Base Rental Amount: \$12,500.00

Acres in Lease: 4.775

Rental per Acre: \$2,617.80

2. **DUE DILIGENCE AND PROPER USE:**

The development allowed by this lease has occurred. It is recommended that the lease be kept in force. The leased premises are being used in accordance with the lease agreement.

3. **ADEQUATE BOND COVERAGE:**

A bond is in place for \$10,000.00.

4. **ESTABLISHMENT OF WATER RIGHTS:**

There are no water rights owned by the Trust Lands Administration associated with this lease.

5. **POLLUTION AND SANITATION REGULATIONS:**

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations. There is no evidence of underground storage tanks on the leased premises.

6. **NEXT FIVE YEAR REVIEW DATE:**

The next assessment will be due on November 1, 2013.

Upon recommendation of Mr. Kurt Higgins, the Director approved the five-year review for Special Use Lease Agreement No. 1404.

SPECIAL USE LEASE AGREEMENT NO. 1408 (FIVE-YEAR REVIEW)

Special Use Lease Agreement No. 1408 is an industrial lease in the name of Questar Pipeline Company, 1140 West 200 South, P. O. Box 45360, Salt Lake City, Utah, 84145-0360. Uintah County. School Fund.

1. ANNUAL BASE RENTAL:

The five-year review date for this lease is November 1, 2008. The subject property is located in Uintah County and is used by the lessee for the purpose of a natural gas metering station and an 8-inch tap pipeline. Based on an analysis of the lease rental pursuant to Board policy, it has been determined that an appraisal is not warranted. Therefore, it is recommended that the annual rental be increased from \$600.00 per year to \$1,000.00 per year, effective November 1, 2008. A certified notice of the rental increase was sent to the lessee on October 13, 2008. No comments were received.

New Annual Base Rental Amount: \$1,000.00

Acres in Lease: 0.086

Rental per Acre: \$11,594.20

2. DUE DILIGENCE AND PROPER USE:

The development allowed by this lease has occurred. It is recommended that the lease be kept in force. The leased premises are being used in accordance with the lease agreement.

3. ADEQUATE BOND COVERAGE:

A bond is being acquired by for this lease.

4. ESTABLISHMENT OF WATER RIGHTS:

There are no water rights owned by the Trust Lands Administration associated with this lease.

5. POLLUTION AND SANITATION REGULATIONS:

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations. There is no evidence of underground storage tanks on the leased premises.

6. NEXT FIVE YEAR REVIEW DATE:

The next assessment will be due on November 1, 2013.

Upon recommendation of Mr. Kurt Higgins, the Director approved the five-year review for Special Use Lease Agreement No. 1408.

SPECIAL USE LEASE APPLICATION NO. 1598 (NAME CHANGE)

Tim Vetere has requested that the name of the applicant for Special Use Lease Application No. 1598 be changed to Green River Companies, LLC, 124 South 400 East, Suite 360, Salt Lake City, Utah 84111. The \$15.00 name change fee has been submitted. Grand County. School Fund.

Upon recommendation of Mr. Richard Wilcox, the Director approved the name change for the above-referenced application.

SPECIAL USE LEASE AGREEMENT NO. 1533 (RECLAMATION BOND)

South Central Utah Telephone Association, P.O. Box 555, Escalante, UT 84726-0226, has submitted Corporate Surety Bond No. 91BSBEE1539, in the amount of \$8,000.00, effective July 2, 2008. The bonding company is Hartford Fire Insurance Company, One Hartford Plaza, Hartford, CT 06155. The bond will remain in force and effect until released by Trust Lands Administration. Piute County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1533.

DEVELOPMENT ACTIONS

EASEMENT AGREEMENT (ESMT 1403)

THE FOLLOWING DEVELOPMENT EASEMENT WAS GRANTED:

PROJECT:	Cedar City Golf Course
PROJECT CODE:	CDCGC 000 00
PROJECT MANAGER:	Rodger Mitchell
FUND:	School
AMOUNT OF EASEMENT:	\$1,922.50
TERM:	Perpetual

GRANTEE:

MICHAEL LOUIE TONG
P.O. Box 3101
Cedar City, Utah 84721

DESCRIPTION OF TRANSACTION:

This Easement has been granted to Michael Louie Tong (the "Grantee") for the express purposes of construction, use, maintenance, and repair of a 20-foot wide driveway (the "Improvements"). As consideration for the easement, the Trust Lands received a one-time fee, which was based on a percentage of the appraised value of the land, and a standard application fee. Additionally, the Trust shall receive an administrative fee of one hundred dollars 00/100 (\$100.00) on or before November 1, 2011, and every third year thereafter. Additional supporting information is available in the Planning and Development file.

LEGAL DESCRIPTION:

Township 36 South, Range 11 West, SLB&M
Section 2: (SW4SW4NE4SE4) Within:

BEGINNING S89°07'14"W ALONG THE QUARTER SECTION LINE 1188.02 FEET AND S00°00'00"E, 1035.22 FEET FROM THE EAST QUARTER CORNER OF SECTION 2, T36S, R11W, SLM; SAID POINT BEING ON THE CENTERLINE OF AN EXISTING WATER TANK ACCESS ROAD; THENCE N75°12'06"W, 9.47 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 7°25'37", THENCE ALONG THE ARC OF SAID CURVE 6.48 FEET; THENCE N82°37'43" W, 20.35 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 21°17'05" THENCE ALONG THE ARC OF

EASEMENT AGREEMENT (ESMT 1403) (CONTINUED)

SAID CURVE 18.57 FEET; THENCE N61°20'38"W, 17.70 FEET, TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 30°03'44", THENCE ALONG THE ARC OF SAID CURVE 15.74 FEET; TO A POINT OF REVERSE CURVATURE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 58°41'48", THENCE ALONG THE ARC OF SAID CURVE 25.61 FEET; THENCE N89°58'42"W, 32.17 FEET TO A POINT ON THE PROPERTY LINE AND THE POINT OF ENDING.

Contains 0.07 acres, more or less.

NUMBER OF ACRES BY COUNTY: 0.07 acres - Iron County

NUMBER OF ACRES BY FUND: 0.07 acres - School

Upon recommendation of Andrea James, the Director approved this Easement.

DEVELOPMENT SUBDIVISION SALE

THE FOLLOWING SALE HAS BEEN EXECUTED AND PATENT ISSUED FOR:

SUBD 6.0 Kachina Cliffs Phase 2 – Entrada at Snow Canyon.

This transaction has been executed pursuant to Development Lease DEVL 682.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 3, Township 42.0 S, Range 16.0 W, SLBM

PURCHASER:

THE ENTRADA COMPANY
C/O BRIAN CHADAZ AT HERITAGE BANK
95 EAST TABERNACLE
ST. GEORGE, UT 84770

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 30	26342-6-30	10/14/08	19859-6-30	03/20/06	\$130,025.34	\$50.00	0.75	MH	3

LIST MINERAL RESERVATIONS:

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

DEVELOPMENT SUBDIVISION SALE - ENTRADA AT SNOW CANYON (CONTINUED)

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute; also,

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

This item was submitted for record-keeping purposes by Andrea L. James.

ACTIONS CONTAINING FEE WAIVERS

NONE